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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-second session

SUMMARY RECORD OF THE 557th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 3 October 2001, at 3 p.m.

Chairman:	Mr. MOLANDER	(Sweden)
later:	Mr. YIMER (Vice-Chairman)	(Ethiopia)
later:	Mr. MOLANDER (Chairman)	(Sweden)

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The meeting was called to order at 3.25 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. AKRAM (Pakistan) endorsed the High Commissioner's appeal for adequate funds to be provided to UNHCR in a timely manner. He hoped the planned reform would produce a number of results: first, an equitable distribution of available financial resources among the various refugee groups, regardless of the geographical location of the country of origin and in accordance with the most objective criteria possible; second, recognition of the contribution made by host developing countries, through quantification of their assistance to refugees; third, strengthening of UNHCR's role in development assistance to countries of origin and developing countries facing long-term crises; fourth, assistance with capacity building in host developing countries.

2. The reprehensible acts of terrorism carried out on 11 September would have profound repercussions throughout the world and particularly in Pakistan's own region. His Government extended its sympathy to the Government and people of the United States; it had committed itself to participating in the global campaign against terrorism. UNHCR believed that campaign could trigger the arrival of 1 or 2 million additional refugees in Afghanistan's neighbouring countries. Pakistan had been sheltering nearly 3 million refugees for around 20 years, without much support from the international community: Afghan refugees in Pakistan, for example, each received between 8 and 10 dollars from external sources, but the remainder of their basic needs was met by Pakistan. Although Pakistan's borders had been officially closed, thousands of Afghan refugees continued to flow in, with or without valid papers. In cooperation with UNHCR, Pakistan had undertaken to identify new sites where refugee camps could be established. Out of 75 possible sites, 30 had been deemed acceptable. Enormous efforts would still be needed, however, to provide appropriate accommodation with basic facilities - water, electricity, clinics - and ensure a supply of blankets and food. Pakistan was grateful for the solidarity shown by a number of donor countries and appealed for lasting support, since the current situation was likely to become permanent. It also called on the international community to spare no efforts to help displaced and needy Afghans find board and lodging in their own country. Pakistan had long suggested that reception centres for internally displaced persons should be established within Afghanistan itself and now repeated that suggestion.

3. Pakistan welcomed the action taken by the United Nations specialized agencies and UNHCR to improve emergency response and coordination capability in Pakistan and the region in order to cope with the crisis. It would do everything in its power to help manage the humanitarian crisis that was about to be unleashed on Afghanistan, but constant political, financial and material support of the international community was vital.

4. Mr. DEMBRI (Algeria), speaking in exercise of the right of reply, said the right of peoples to self-determination was an inalienable and sacred right. The question of the people of Western Sahara was a problem of decolonization and, as such, an issue for the Fourth Committee of the United Nations General Assembly. The Saharan people, who were recognized as a refugee population, received protection and assistance under the 1951 Convention. Saharan refugees in Algeria were an integral part of the Saharan people and should have the right to self-determination. The referendum on self-determination originally planned for January 1992

had been repeatedly postponed on account of the delaying tactics employed by one party. With regard to the proposed framework agreement on the status of Western Sahara, to which the representative of Morocco had referred at the 556th meeting, Algeria had clearly indicated that it could not lead to a just and durable settlement of the question and violated the settlement plan for a number of reasons: first, it ran counter to United Nations principles on decolonization and disregarded the Saharan people's right to self-determination; second, it was not in accordance with the settlement plan agreed more than 10 years ago by the two parties, or with the Houston agreements or any later agreements; third, it took no account of the progress made following 10 years of work by the United Nations in Western Sahara; fourth, it violated the Saharan people's inalienable right to self-determination; and fifth, its purpose was the integration of Western Sahara into the Kingdom of Morocco.

5. What was more, the Security Council had by no means adopted the draft agreement, but merely requested the parties to consider it or any other acceptable political solution. In a body concerned with refugee protection, it was important to remember that the question of Western Sahara, which was primarily a question of decolonization, had existed for more than 25 years. Morocco's predatory annexation of the territory of Western Sahara in 1975 had sparked a conflict with the Saharan people and resulted in forcible mass displacement of that people to Algeria, where the refugee population was currently estimated at 165,000.

6. Mr. LAGHMARI (Morocco), speaking in exercise of the right of reply, said his delegation would spare the Executive Committee a political debate that was more appropriate to other bodies. Morocco's concern was to restore peace in the sub-region and ensure that all persons originating in Western Sahara returned home.

7. Mr. JESSEN-PETERSEN (Assistant High Commissioner) thanked speakers for their kind words. He saw it as an extraordinary privilege to have been able to devote so many years to a cause as noble as the protection of refugees and hoped that UNHCR would obtain all the support it needed to carry out its mission.

8. The CHAIRMAN, summing up the general debate, said that after half a century of concerted effort by the international community to address the problems associated with refugees and displaced persons, the High Commissioner had challenged the Committee's assumptions about the way forward; delegations had tried to take up the challenge and provide some answers to the dilemmas facing UNHCR. In the face of major problems - the resurgence of global terrorism and the resulting heightened emergency in Afghanistan, ongoing refugee situations, and budget shortfalls - delegations had responded very positively to the High Commissioner's efforts to define a clear vision for the future of UNHCR, as described in such initiatives as Actions 1, 2 and 3, the ongoing Global Consultations and the "UNHCR 2004" process.

9. Delegations had expressed support for identifying the core activities of UNHCR's work, results-based budgeting, the need for more stable, predictable and adequate funding and efforts to broaden the donor base. The announcements by a number of donors that they were opening new development-oriented funding windows were welcome. At the same time, many participants had cautioned against implementation of belt-tightening measures that compromised vital services to refugees. Others had expressed concern that classifying some measures as non-core activities might have a negative impact on long-term solutions.

10. Delegations had reiterated their support for the Global Consultations on International Protection and the role of the 1951 Convention as the cornerstone of the international protection regime. The forthcoming Ministerial Meeting of the Global Consultations and the declaration it was to issue had also been strongly supported. Many delegations had indicated that they looked forward to the outcome of the Global Consultations process, and in particular the formulation of an Agenda for International Protection.

11. The expressions of commitment from member States, other agencies, and intergovernmental and non-governmental organizations, to work with the High Commissioner as partners in the search for durable solutions was another positive message. It had also been gratifying to see the extent of interaction between UNHCR and non-governmental organizations (NGOs) in the three days of meetings preceding the present session of the Executive Committee. The discussions had been thoughtful and enlightening and augured well for future cooperation. Such partnerships could be vehicles for capacity building and encourage the utilization of local knowledge and connections in the search for solutions to the most challenging problems.

12. The general debate had touched on a number of other themes. In condemning the tragic events of 11 September and the resurgence of global terrorism, delegations had called for cooperation in fighting the scourge of terrorism. At the same time, the High Commissioner's warnings against the dangers of xenophobia and intolerance had been welcomed. Strong support had been expressed for UNHCR's efforts to deal with the situation in Afghanistan, without, however, ignoring other refugee situations that continued to demand attention. Staff safety and the physical protection of refugees had been highlighted as key issues. Some delegations had also stressed the need to address the presence of combatants in the midst of refugee populations. The Committee had indicated its desire to be better informed concerning situations in the field where humanitarian staff were operating and refugees were living. As he had said in his opening statement, it was important to remain cognizant of the realities on the ground. Many delegations had expressed concern about the institution of asylum and fair asylum procedures, the link between refugee issues and migration, and the difficulties of dealing with mixed migration flows. They had noted the importance of comprehensive approaches that recognized the burdens borne by host countries. Many speakers had stressed the importance of strengthening emergency response mechanisms; finding ways of addressing root causes of refugee situations; establishing a link between humanitarian assistance and development; including refugee issues in development planning; national capacity building; the promotion of international solidarity; responsibility- and burden-sharing in hosting refugees; and regional and subregional cooperation, as exemplified by the statements made by the Presidency of the European Union, the European Commission, the Council of Europe, the Organization of African Unity (OAU) and the Southern African Development Community (SADC), among others. Several delegations had echoed a matter both he and the High Commissioner had touched on in their opening statements, namely how to involve refugees directly in the search for durable solutions, and in particular sustainable repatriation or integration. Many speakers had also underlined the importance of restoring refugees' dignity by recognizing their potential for contributing to their communities and by showing them the respect they deserved. If such attitudes could be transferred to the field, it would be a major step forward to what one delegation had described as the deeper meaning of the Durban World Conference against Racism: the need to find a way to overcome divisions of culture, civilization, even of religion, in order to create an inclusive family of humankind.

13. He said that the Executive Committee had thus concluded consideration of agenda item 4.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5) (A/AC.96/956)

(a) INTERNATIONAL PROTECTION (A/AC.96/951)

14. Ms. FELLER (Director, Department of International Protection) said that 2001, the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees - the basic instrument of international protection - had seen a noticeable worsening of the situation in Afghanistan and a breakdown of peace processes in many regions around the world. That situation had inevitably triggered new population movements and would undoubtedly lead to an increase in the number of refugees and displaced persons, which currently stood at 22 million. In that context, the 1951 Convention, with its non-political character and its roots in human rights, had proved its resilience as the cornerstone of international refugee protection. Nevertheless, States still faced significant challenges in reconciling their obligations under the Convention and the essentially operational difficulties stemming from mixed migration flows, abuse of the asylum system, increasing costs and the growing incidence of people trafficking.

15. The main legal challenges confronting States concerned the definition of refugee status, the length and, in some cases, the complexity of asylum procedures, the lack of specific provision in the Convention regarding burden sharing and the emergence of complementary forms of protection, notably those established under human rights instruments. The last point had unfortunately led to abuses of the protection regime by persons who claimed refugee status under such instruments, despite the fact that they were clearly not entitled to it. UNHCR wished to stress that, properly applied, the Convention should not offer a safe haven to criminals. At the same time, the justified concern for security following the recent terrorist attacks should not jeopardize the international refugee protection regime.

16. Hosting refugees was increasingly coming to mean "burden", which was perhaps understandable given the considerable costs associated with refugee protection. A too ready equation of refugees with burdens, however, could obscure the fact that refugees represented primarily a humanitarian issue that the international community had a moral responsibility to face. It was in order to reaffirm that principle that UNHCR had launched the Global Consultations in October 2000, a process that aimed to promote the gradual development of international law on refugee protection, greater consistency between human rights instruments and the Convention, increased effectiveness of implementation of the international protection regime, strengthened monitoring of the implementation of the Convention by UNHCR, and greater international cooperation through shared responsibility and burden sharing. The Consultations would culminate with the Ministerial Meeting of States Parties in December 2001, which would adopt a declaration reaffirming the centrality of the Convention and its Protocol in the international protection regime. It would then be necessary to draw up an account of progress made and consolidate those results into an Agenda for Protection, which should serve as a guide to future action by UNHCR.

17. It was important to remember that refugees did in fact go home, something shown by the voluntary repatriation of some 176,000 Eritrean refugees who had been in the Sudan since the 1960s. UNHCR hoped to invoke the cessation clause for that refugee population by the end of 2002.

18. The Department of International Protection had undertaken to obtain the resources needed to implement the proposals made by member States during the Global Consultations. It had been extensively restructured to sharpen its focus on capacity building within UNHCR. Particular attention had been paid to improving management of the protection function by UNHCR field offices. To that end, a set of indicators had been developed to make it possible to monitor protection programmes in the field and a series of protection workshops had been organized jointly with NGOs. As to resettlement, the Department had begun reviewing its practices in the various regions, with a view to improving the decision-making process and resettlement processing capacity. Lastly, she said international refugee protection has been accepted as a common trust. The problem with such trust was that responsibility for ensuring protection was either widely shared by many or it would be borne by no one.

19. Mr. THERRIEN (Canada) said his Government was proud of the support it gave to refugee protection and the search for durable solutions. A bill currently before Parliament would make it possible to consider both protection needs under the Convention and complementary forms of protection under international human rights instruments at the same time. Canada offered thousands of refugees every year the opportunity of resettlement - which was both a form of humanitarian assistance and a concrete means of taking a share of international responsibility - while ensuring that procedures were transparent and appropriate. Migration flows were no longer homogeneous, however, and asylum-seekers and refugees could use the same routes as those merely wishing to emigrate, sometimes with the help of criminal people smugglers. Given the impact of irregular migration on all States, Canada endorsed the initiative to establish a joint UNHCR/International Organization for Migration (IOM) action group on asylum and migration, to consider those issues more closely. It was naturally difficult to distinguish clearly between persons wishing to emigrate and those in need of international protection, but the distinction had to be made and suitable policies put in place for each of those groups.

20. Canada welcomed the fact that the Global Consultations were concentrating on issues such as the return of persons not in need of international protection, and interception practices. Whether people travelled alone or in groups, and whatever routes they chose, established systems of control must observe all the principles of refugee protection, and in particular that of non-refoulement. Canada supported UNHCR and States in their efforts to implement the conclusions of the regional workshop in Ottawa by, inter alia, drawing up guidelines for the application of the principles of protection to the practice of interception. It also welcomed the emphasis in the Global Consultations on the difficulty of ensuring adequate protection in the context of mass population flows. The current situation in central Asia was a clear illustration of the importance of effective strategies to cope with such problems and UNHCR must be requested to ensure that, in planning its response to the developing crisis, it incorporated instruments of protection such as a registration process in its intervention plan.

21. Canada's other concerns included the problem of lack of security in refugee camps and the need to ensure the safety of humanitarian staff. In that regard, there was an urgent need to examine the issue of the separation of combatants, operational and legal aspects of which were not clearly defined. Lastly, he said Canada was proud to reaffirm its support for UNHCR's work, its commitment to the principles of the Convention and the Protocol, which were the cornerstone of international protection, and its determination to pursue the search for durable solutions.

22. Mr. FOLEY (United States of America) said that the world must act to rid itself of the scourge of terrorism, yet must also ensure that asylum seekers and refugees did not become victims of the recent events. Terrorists could be prevented from taking advantage of the refugee protection system by the application of exceptions under the current provisions: there was no need to make major changes to the protection regime. It was also essential to focus on the task of immediately disarming and separating out armed elements mingling with flows of civilian refugees.

23. His country called on States who were not yet parties to the 1951 Convention and the 1967 Protocol to consider accession to those instruments, and welcomed the recent adoption of two Protocols to the United Nations Convention against Transnational Organized Crime, the Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. His delegation looked forward to reviewing, prior to the December 2001 Ministerial Meeting, the draft of the Agenda for Protection that was to come out of the Global Consultations process and would work towards its implementation.

24. He hoped that Action 1, the refocusing of UNHCR on its primary mandate, would translate into improvements in the quality of protection, especially physical protection; that would involve strengthening UNHCR's presence in the field. UNHCR should therefore move quickly to fill the many vacant protection posts, broadening its recruitment criteria if necessary. His delegation was concerned about the planned closure of UNHCR offices in countries where protection needs remained acute, such as Côte d'Ivoire. An important way of augmenting protection capacity in the field was through partnerships with NGOs; that was, however, a short-term solution and should not in anyway diminish UNHCR's central responsibility for protection. The United States agreed with the High Commissioner's decision to make protection of displaced persons a non-core activity. Protection of displaced persons should be carried out in full cooperation with the International Committee of the Red Cross (ICRC) and other relevant international organizations.

25. Security of humanitarian personnel remained a priority. As well as short-term arrangements, in the long term an international instrument was needed that would apply to all humanitarian operations and personnel.

26. Registration of refugees was vital for their protection and the United States welcomed the draft conclusion on registration that was to be adopted at the end of the session and encouraged UNHCR to develop a standardized worldwide registration system as quickly as possible.

27. Resettlement was a durable solution; the International Conference for the Reception and Integration of Resettled Refugees held in Sweden, which had made it possible to build linkages between "experienced" and "emerging" resettlement countries, should help to promote resettlement. UNHCR should nonetheless, make a system-wide effort to protect resettlement from fraud and abuse. Much remained to be done to address the problems in Nairobi, but, given the importance of the site for resettlement, it was crucial to resume processing as quickly as possible.

28. The prioritization of protection for women and children - who constituted the vast majority of refugees - needed to be reflected in concrete measures. As in Sierra Leone and Guinea, the deployment of a gender adviser as part of the emergency response teams should become standard operating procedure in every emergency. Community services officers must be trained to address the needs of refugee children at the onset of a crisis. Lastly, UNHCR should place higher priority on family reunification in countries of resettlement and first asylum.

29. Mr. SJÖGREN (Sweden) said that international cooperation was essential if States were to maintain a satisfactory international protection regime and at the same time promote orderly migration. UNHCR had an important advisory role to play in actively supporting legislative reforms and capacity-building in Europe and other regions.

30. The 1951 Convention should be seen as part of the broader framework of human rights instruments. Sweden appreciated the emphasis placed on freedom of movement in the Note on International Protection (A/AC.96/951) - unjustified detention of asylum-seekers was not an acceptable practice – and on refugees' economic, social and cultural rights, which could only help them integrate into their host country. It was important for adult refugees to have access to the labour market and for children to have access to education. It was also important, as the Note emphasized, to identify particularly vulnerable persons in order to provide adequate protection. Women should not be considered vulnerable as a group, but those with special needs should be identified: pregnant women, heads of household, etc.

31. In order to avoid abuse of procedures, it was crucial to strengthen asylum systems in countries with insufficient capacity, to make them countries of first asylum and not merely transit countries, something that would also help to curb smuggling. Non-refoulement remained an absolute obligation. Strengthening national asylum systems should be linked to the development of clearer criteria for regular migration.

32. Sweden welcomed the initial results of the Global Consultations, and particularly the track two meetings. There were a number of issues it would like the Agenda for Protection to prioritize: international protection of children, security in camps and for humanitarian personnel and international refugee protection in situations of mass flight.

33. Ms. NIELSEN (Switzerland) said it was gratifying to see that the obligation of non-refoulement had become a principle of customary international law. Switzerland hoped that, on the occasion of the fiftieth anniversary of its adoption, States that had not yet done so would accede to the 1951 Convention and the 1967 Protocol, which would contribute to a better global

sharing of responsibilities. At the Ministerial Meeting in December 2001 Switzerland would propose launching a debate on ways of involving States more actively in strengthening implementation of the Convention.

34. Complementary forms of protection could be a pragmatic solution for persons who did not meet the criteria of the Convention, but it was necessary to ensure that such procedures did not undermine the Convention.

35. The biggest difficulty facing many countries was the problem of respecting refugees' and asylum seekers' rights while controlling illegal immigration. One way of resolving that problem was to introduce expeditious and effective asylum procedures.

36. The Global Consultations had brought a new dynamic to the discussion on international protection. It would be useful to plan a meeting in 2002 to draw conclusions from the discussions within all three tracks and to consider a future work plan and the Agenda for Protection.

37. Mr. Yimer (Ethiopia), Vice-Chairman, took the Chair.

38. Ms. HILSBO (Denmark) said her comments would focus on the outcome of the Global Consultations. In track one, a text had been agreed that confirmed the continued centrality of the 1951 Convention and the 1967 Protocol in the international refugee protection regime; it would be submitted for adoption by the States parties at the Ministerial Meeting in December 2001. She hoped that the Meeting would provide an opportunity for more States to ratify the Convention.

39. The discussions in track two could have benefited from broader participation by all States concerned and should have focused more closely on mapping out States' practices. On the basis of those discussions, UNHCR planned to draft guidelines to complement the Handbook on Procedures and Criteria for Determining Refugee Status. Denmark intended to take an active part in the drafting process.

40. A very open dialogue had been established in track three, between the main financial donors and the many developing countries hosting large numbers of refugees. A consensus had been reached on the need to develop a standardized worldwide registration system. Denmark would appreciate an update on progress in Project PROFILE. A consensus could be reached on other complex issues within track three and might take the form of Executive Committee conclusions for 2002. It would also be necessary to discuss how to further consolidate the programmes of the "emerging" resettlement countries.

41. Follow-up to the Global Consultations process and the development of an Agenda for Protection would be further steps towards filling the gaps in the asylum regime, which would make it possible to better meet the protection needs of all refugees.

42. Ms. BEDLINGTON (Australia) said she welcomed UNHCR's appreciation of the need for strategies aimed not only at protection of refugees but also at countering irregular migration

and people smuggling. Her delegation reaffirmed its commitment to efforts to ensure that the protection needs of intercepted persons were identified through effective procedures and then met.

43. With reference to the Note on International Protection (A/AC.96/951), her delegation believed that the comprehensive approach to be adopted to achieve lasting resolution of the refugee situation should go beyond the three traditional durable solutions and incorporate other concepts such as conflict resolution, peacekeeping, reconciliation, development aid and capacity-building for civil society. The approach should also be timely and integrated: delay made voluntary repatriation more problematic and a lack of any comprehensive policy could simply lead to further flows of refugees who might not need protection.

44. While resettlement was a durable solution for those who could not return home or for whom local integration was not feasible, it could also be a practical way of sharing responsibility for solutions. Solidarity was needed between host countries, donors and resettlement countries. Resettlement could extend collective solidarity to countries whose geographical distance from problem areas meant they were not affected by refugee situations, or who lacked the economic capacity to make a financial contribution, and her delegation urged all States to consider joining in the resettlement effort.

45. Mr. KAMALIAN (Islamic Republic of Iran) said that, while implementation of protection was important, it was also necessary to pay attention to capacity-building. Host countries' responsibilities should be commensurate with their capacities and consistent with their international obligations. The protection that could be afforded by host countries was directly related to the level of burden sharing and the quality and quantity of international contributions. Those contributions should therefore be proportional to the number and needs of refugees and free of all political considerations.

46. The rights granted to needy people should be clearly defined, explicit and in accordance with host countries' international obligations and capabilities. The 1951 Convention and the 1967 Protocol should not be interpreted in such a way as to create further obligations for member States.

47. The international community could prepare the ground for voluntary repatriation of refugees by providing appropriate assistance and improving their socio-economic capabilities. In situations where voluntary repatriation was not feasible, resettlement could be considered, but that solution would come into its own only when the developed countries agreed to resettle an acceptable number of refugees on their own territories. It was obvious that one of the reasons why host countries were reluctant to integrate refugees locally was that they were unable to derive any benefit from their presence. Capacities varied from one State to another, naturally, but countries with smaller populations and greater resources were in a better position to receive smaller numbers of refugees and resettle them locally.

48. Ms. D'HUART (France) said the tragic events in the United States showed how important it was to address international protection. It was hard to avoid succumbing to xenophobia after such an occurrence and restricting asylum-seekers' rights. Regrettable as it might seem, it remained necessary to emphasize the validity of the principle of non-refoulement

and her delegation commended UNHCR's vigilance in the matter. The training programmes for border officials were particularly welcome in that regard. It had to be admitted, however, that mixed flows of asylum-seekers, illegal migrants and victims of trafficking complicated the task of States.

49. Her delegation believed regional cooperation was one of the best approaches that could be adopted in that area and the European Union was therefore considering implementing a common asylum policy.

50. In the short-term, it seemed desirable to cut the processing time for applications for refugee status. Apart from the potential benefit to asylum-seekers themselves, such action might discourage abuses of the system.

51. The Global Consultations had shown that implementation of the 1951 Convention was a constantly evolving process, partly because situations had arisen that had never been foreseen from the outset. In that regard, France considered that certain cases required other forms of protection.

52. Mr. RAHMAN (Bangladesh) said that refugee problems were becoming increasingly complex. Despite economic growth, the majority of the global population suffered from underdevelopment and poverty; despite universal recognition of refugee rights, there were gross violations and widespread persecution; despite the recent wave of globalization, people fleeing from persecution were finding it increasingly difficult to cross borders. Such factors were a reminder of the need for dynamism in international refugee law. To that end, a number of concerns had to be addressed: the problem of definition, since in some cases refugees were not considered refugees and their protection needs were not met; the problem of access to territory arising from interception and rejection of refugees without ascertaining their protection needs; the problem of detention, which was often arbitrary and based on grounds of irregular entry; and the problem of discrimination on the basis of race, religion or nationality, which could lead to denial of access to asylum procedures.

53. It was important not to be responsive solely to the apprehensions raised by irregular population movements, the misuse of asylum procedures to bypass migration restrictions, or national security concerns. It was also necessary to address the root causes of refugee flows and combat intolerance and xenophobia.

54. With regard to subsidiary forms of protection, a distinction must be maintained between protection under the Convention, complementary forms of protection and temporary protection. As to standards of treatment, it was important to be realistic and take account of the host country's socio-economic situation. With regard to durable solutions, local integration should be treated as the very last option after voluntary repatriation and resettlement. Lastly, the notions of a "country of first asylum" and a "safe third country" might be useful in the European context but their relevance and effectiveness should be evaluated in the case of developing countries and mass influx situations.

55. Mr. Molander (Sweden) resumed the Chair.

56. Ms. VIINIKKA (Finland) said she shared the analysis of the High Commissioner, who had recalled, in an address to the Commission on Human Rights, that the number of people in search of protection was an indicator of the situation of human rights in the world. Thus, strengthening respect for human rights was essential in any attempt to tackle the root causes of refugee flows. UNHCR's role was to protect refugees' fundamental rights during flight and asylum. In addition to protection under the Convention, displaced persons should benefit from the more general human rights protection available to everyone. The progressive development of human rights law had an impact on international protection, whether Convention-based or complementary. Given the linkage between refugee rights and human rights, her delegation encouraged UNHCR to continue its cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR).

57. Her delegation also strongly supported UNHCR's supervisory role under article 35 of the Convention, but was still not convinced of the need for new monitoring mechanisms.

58. Lastly, as one of the traditional resettlement countries, Finland welcomed the increased attention being paid to resettlement issues. Resettlement was a core activity and should receive adequate resources. At the same time, it should be seen, not as a substitute for asylum, but rather as a complement to it. It was crucial to avoid giving the impression that government-approved, resettled refugees were somehow more legitimate than those entering a country on their own to seek asylum.

59. Mr. KINNEN (Germany) said it was essential to provide a fair, efficient and swift asylum procedure. What was most important for persons seeking international protection was to know their status as soon as possible. One of the chief objectives must therefore be to reduce the time taken by those procedures.

60. It was also essential to find quick, pragmatic solutions in mass influx situations. Finding durable solutions was only one aspect of the matter and it was usually just as urgent to grant temporary protection to persons who had been forced to leave their country of origin. In that regard, his delegation welcomed the recent European Union directive on temporary protection, which was a good instrument for coping with mass influx situations at the regional level.

61. Lastly, his delegation underlined the importance of the ongoing process of harmonization of the various aspects of asylum law in the European Union. The process took into account member States' different historical backgrounds and experiences. Ultimately, the common European asylum system that would emerge would provide clarity and reliability for refugees coming to a European Union country in search of international protection.

62. Mr. AL-AGHBACH (Sudan) said he did not agree with Ms. Feller that the cessation clause could be invoked to bring to an end the programme of voluntary repatriation for the Eritrean refugees currently in Sudan. It would be better to wait for the evaluation planned for late 2002 before deciding whether to close down the programme. The programme was going as well as could be expected, considering the enormous burden the presence of those refugees represented for Sudan.

63. Mr. HUSSAIN (Pakistan) said that the conception of international protection adopted by Pakistan was based on respect for its international obligations and on the values of Islam. It was important not to forget that mass refugee influxes presented major problems to host countries, notably in matters relating to security, environmental protection and crime, and that those problems were exacerbated by the lack of international assistance. It was therefore particularly important to pay close attention to capacity-building in host countries and to strengthen the principle of burden sharing. International protection was a global obligation and a regional approach should be avoided, given the fact that some regions did not have the necessary capacity. It was also necessary to reinforce the mechanisms for internally displaced persons, who, as could now be seen in Afghanistan, were in many cases potential refugees.

64. Mr. ZELAÇI (Algeria) said UNHCR had originally been created for a limited period. Hence there was little to celebrate in the fact that it had become a permanent institution with responsibility for more than 22 million refugees. It was essential to revitalize the protection system in view of the complexity of the refugee problem. In addition, the international community faced a dilemma in that it needed to reinforce the protection system yet developing countries had limited resources. It was against that background that a broad consensus had emerged at the Global Consultations on International Protection regarding the need to reinforce burden sharing and capacity-building in developing countries.

65. Lastly, in Africa, where there were major problems arising partly from the presence of large refugee populations, a protection system had been established that extended the scope of the 1951 Convention. International protection needs should nevertheless be addressed through some kind of strategic partnership between UNHCR and OAU.

66. Mr. RUSSELL (International Council of Voluntary Agencies) said it was necessary to improve implementation of the Convention and he welcomed the Global Consultation process initiated by UNHCR. He also wished to stress that the recent attacks in the United States should not become an excuse to undermine the rights of refugees and asylum-seekers.

The meeting rose at 5.50 p.m.